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January 13, 2005

TO:

Commissioner for Patents

Attn: Examiner D. HECKENBERG

P.O. Box 1450

Alexandria, VA 22313-1450

FROM:

James A. Larson

OUR REF:

3616.213US01

TELEPHONE:

612.336.4708

Total pages, including cover letter:

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Title of Document Transmitted:

Information Disclosure Statement and reference

Applicant:

Scherer et al.

Serial No.:

10/038,639 January 4, 2002

Filed:

1700

Group Art Unit: 1722

Our Ref. No.: 3616.213US01

Confirmation No. 9187

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

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Reg. Not.: 40 443

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Celyn Oakman

Signature

January 13 , 2005

Date

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JAN 1 3 2005

S/N 10/038,639

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

SCHERER ET AL.

Examiner:

D. HECKENBERG, JR.

Serial No.:

10/038,639

Group Art Unit:

1722

Filed:

JANUARY 4, 2002

Docket No.:

3616.213US01

Title:

CONCRETE BLOCK AND METHOD OF MAKING SAME (AS

AMENDED)

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this paper or fee is being transmitted by facsimile (fax no. 703-872-9306) to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 13, 2005.

Name Vames A. Larson

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the item(s) of information listed on the enclosed Form 1449 is brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application.

Please charge Deposit Account No. 13-2725 the fee of \$180.00 for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.

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JAL:PLSklg

Date Mailed: January 132, 2005	Sheet 1 of 1				
FORM 1449* INFORMATION DISCLOSURE STATEMENT	Docket Number: 3616.213US01	Application Number: PRECEIVED 10/038,639 CENTRAL FAX CENTER			
IN AN APPLICATION	Applicant: SCHERER ET AL.	JAN 1 3 2005			
(Usi: several sheets if necessary)	Filing Date: 01/04/2002	Group Art Unit: 1722			

		u	S. PATENT DOCUME	NTS			
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	2004/0218985 A1	11/04/2004	Klettenberg et al.				
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	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
	<del></del>					YES:	NO
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	OTHER	DOCUMENTS	(Including Author, Title,	Date, Pertinent P	ages, Etc.)		
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EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

\*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE